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## MACEDONIA – Tier 1

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Macedonia is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Macedonian women and girls are subjected to sex trafficking and forced labor within the country in bars, nightclubs, and in begging on the street. Children, primarily ethnic Roma, are forced to beg by their families. The age of identified victims is increasingly younger and more victims originate from neighboring countries. Foreign victims in Macedonia originate from Albania, Bulgaria, Serbia, Bosnia, Ukraine, and Kosovo. Macedonian citizens are subjected to trafficking in Greece, Belgium, and other countries in Europe.

The Government of Macedonia fully complies with the minimum standards for the elimination of trafficking. The government sustained its vigorous prosecution of trafficking offenders, including public officials alleged to be complicit in trafficking. However, the government failed to screen effectively possible victims of trafficking encountered during police raids on bars and nightclubs; officials did not make use of trained social workers and NGOs, bypassing the national referral mechanism, and rapidly screened migrants in detention without victim support. The government continued to rely on NGOs to provide many of the services at shelters without providing adequate funding for medical care and reintegration.

**Recommendations for Macedonia:** Proactively improve victim identification efforts by including trained social workers and NGOs in initial screening for trafficking in all police raids involving vulnerable migrants; ensure that all victims of trafficking have the freedom to come and go from shelters; ensure that victims are not detained, deported, or punished as a result of their being trafficked; provide specialized training for officials to better understand psychological forms of coercion, debt bondage, threats, and the symptoms of victims' trauma; institutionalize and increase funding to ensure comprehensive care in shelters and to support reintegration services; punish human trafficking offenders, including government officials complicit in trafficking in persons, with sentences that are commensurate with the gravity of the crime; formally identify victims of forced begging as trafficking victims and offer appropriate services; and continue to proactively investigate and prosecute human trafficking crimes.

### **Prosecution**

The Government of Macedonia improved its law enforcement response to human trafficking in 2012, more than doubling the number of convictions compared to the

previous reporting period and prosecuting two public officials for alleged complicity in trafficking offenses. The government prohibits sex and labor trafficking through Articles 418(a) and (d) of its criminal code, which prescribe a minimum penalty of four years' imprisonment. This is sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. In 2012, the government investigated nine new trafficking suspects, including a police officer and a prison supervisor alleged to be complicit in human trafficking. During the year, the government convicted 20 trafficking offenders, a significant increase from nine in 2011. Ten defendants received sentences from six to ten years' imprisonment, three received three years' imprisonment for trafficking children for labor exploitation, and one was sentenced to nine months' imprisonment. Six defendants, including the complicit police officer, received suspended prison sentences. A court of appeals upheld convictions against seven traffickers who were sentenced in 2011. Seven defendants, including the prison supervisor, were acquitted. The Macedonian academy for judges and prosecutors trained organized crime prosecutors on human trafficking and law enforcement officials participated in a regional anti-trafficking training. During the reporting period, the government trained police and labor inspectors to identify victims of trafficking.

## **Protection**

The government maintained protection and services, but did not improve efforts to identify trafficking victims proactively. The government identified eight victims of trafficking in 2012, compared with 12 in 2011. For the first time, Macedonian authorities identified male victims of trafficking, including one child, and provided them with limited legal, medical, and psycho-social assistance. All identified victims received assistance and the female victims were referred to shelter care, but there was insufficient screening of migrants in immigration detention. The government jointly ran a shelter with two NGOs that provided services to domestic victims and foreign victims holding a temporary residence permit. No shelter existed for male victims of trafficking. The government provided identified victims with initial needs assessment, crisis intervention, psychological assistance, food, clothes, and medical assistance. The government assigned legal representatives to children. An advocate employed by the national referral mechanism provided legal services to victims of trafficking. Domestic victims of trafficking who do not choose to stay in the shelter may access psychological and social services from the government centers for social welfare, which also provide reintegration services, including education and job placement in collaboration with an NGO. The government allocated the equivalent of approximately \$7,000 each to five NGOs for direct assistance and prevention activities. There were problems with timely reimbursement to NGOs for emergency medical care provided to victims in shelter

care. While the government removed more than 50 children, predominately ethnic Roma, from forced begging on the streets and placed them in daycare centers or orphanages, often fining or jailing their parents, the government failed to identify these children as victims of trafficking.

NGOs reported that the national referral mechanism worked effectively through strong collaboration with social workers, which resulted in the identification and referral of victims of trafficking to shelters. However, the government failed to utilize trained social workers and NGOs to provide specialized screening for trafficking during raids conducted by the organized crime unit. Police raids on bars in western Macedonia revealed numerous unauthorized female migrants working illegally as “guest escorts,” some of whom had been previously deported and had returned from their home countries. Screening for trafficking was done by police within 24 hours while the women were detained at the government transit facility before they were deported, bypassing any involvement from the national referral mechanism and hampering efforts to effectively identify probable victims of trafficking. Contrary to the 2000 UN TIP Protocol, the government places inordinate weight on victims’ initial consent to migrate or to work, hampering efforts to identify elements of force, fraud, or coercion in potential trafficking schemes. In 2012, the government issued three foreign victims of trafficking two-month temporary residence permits. Temporary residency permits were available to foreign trafficking victims if they cooperated with law enforcement in the investigation and prosecution of their traffickers. Twelve victims participated in criminal proceedings during the reporting period. While victims may claim restitution through civil proceedings, no victims have successfully completed a claim due to the complexity of the legal process.

## **Prevention**

The government sustained its anti-trafficking prevention efforts during the reporting period and, in partnership with NGOs, organized awareness presentations and anti-trafficking workshops at high schools in areas with high risks of trafficking and distributed prevention informational materials. The government organized specialized anti-trafficking training for 60 social workers and all 30 directors of the centers for social work on their responsibilities in managing trafficking cases, and officials collaborated with national anti-trafficking coordinators of other southeastern European countries to establish more efficient regional cooperation. The national rapporteur for trafficking and smuggling published Macedonia’s fourth annual report with a comprehensive assessment of anti-trafficking activities. The government adopted a new national action plan for 2013-2016 with a focus on increasing efforts to combat forced labor, developed in collaboration with an

interagency government working group, NGOs, and international organizations. The government undertook a public service television campaign to reduce demand for services from victims of trafficking.